

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Amendment of Section 73.622(b),
Table of Allotments,
Digital Television Broadcast Stations.
(Albuquerque, New Mexico)
MM Docket No. 01-160
RM-10159

REPORT AND ORDER
(Proceeding Terminated)

Adopted: October 12, 2001

Released: October 18, 2001

By the Chief, Video Services Division:

1. At the request of ACME Television Licenses of New Mexico, LLC ("ACME"), licensee of station KASY-TV, NTSC channel 50, Albuquerque, New Mexico, the Commission has before it the Notice of Proposed Rule Making, 16 FCC Rcd 14505 (2001), proposing the substitution of DTV channel 45 for station KASY-TV's assigned DTV channel 51c. ACME filed supporting comments. No other comments were received.

2. We believe the public interest would be served by substituting DTV channel 45 for DTV 51c since it will enable station KASY-TV to co-locate its DTV and analog facilities and share the same antenna. DTV channel 45 can be allotted Albuquerque, New Mexico, in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates (35-12-48 N. and 106-27-00 W.). In addition, we find that this channel is acceptable under the 2 percent criterion for de minimis impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station KASY-TV with the following specifications:

Table with 5 columns: State & City, DTV Channel, DTV power (kW), Antenna HAAT (m), DTV Service Pop. (thous.). Row 1: NM Albuquerque, 45, 245, 1287, 759

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective December 3, 2001, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Albuquerque, New Mexico	16, *17, 21, 24c, *25, 26, 42c, 45

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, ACME Television Licenses of New Mexico, LLC shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 45 in lieu of DTV Channel 51c for station KASY-TV.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Services Division  
Mass Media Bureau